

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

JOSEPH ARCHAMBAULT,

Plaintiff

v.

LIBERTY LIFE ASSURANCE COMPANY  
OF BOSTON

Defendant

Civil Action No. 05-11762-NG

**ASSENTED-TO MOTION TO ENLARGE BY THREE (3) BUSINESS DAYS  
THE DEADLINE FOR DEFENDANT'S OPPOSITION TO PLAINTIFF'S  
MOTION FOR SUMMARY JUDGMENT**

Defendant Liberty Life Assurance Company of Boston moves, with Plaintiff's assent, to enlarge by three (3) business days the deadline for filing its opposition to Plaintiff's motion for summary judgment, to and including Tuesday, September 12, 2006. As grounds for this motion, Defendant states as follows:

1. Defendant and Plaintiff each filed motions for summary judgment on August 18, 2006. Because Plaintiff's memorandum in support of her motion did not initially comply with the rules, the Court permitted Plaintiff to file an amended memorandum, which was filed on August 24, 2006. Pursuant to the Court's order, Defendant's opposition to that motion for summary judgment, therefore, is due today, September 7, 2006.

2. Defendant now seeks an brief extension of three (3) business days to submit its opposition to that motion in light of an unexpected surgery required for an immediate family member of the undersigned counsel, which required him to be out of

the office for a period of time after Plaintiff re-filed his memorandum on August 24, 2006.

Certification of Compliance With Local Rule 7.1(a)(2)

Counsel for Defendant certifies that he contacted Plaintiff's counsel to seek his assent to this request. As set forth below, Plaintiff's counsel assents to this motion. Due to the nature of this motion, a supporting memorandum of law is not necessary.

WHEREFORE, Defendant moves, with the assent of Plaintiff's counsel, to enlarge by three (3) business days the deadline for Defendant to file its opposition to Plaintiff's motion for summary judgment, to and including September 12, 2006.

Respectfully submitted,

LIBERTY LIFE ASSURANCE  
COMPANY OF BOSTON

/s/ Richard W. Paterniti  
Richard W. Paterniti, BBO #645170  
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Jackson Lewis, LLP  
75 Park Plaza  
Boston, MA 02116  
(617) 367-0025

ASSENTED-TO:

JOSEPH ARCHAMBAULT

By his Attorney,

/s/ Richard K. Latimer/ by RWP  
Richard K. Latimer, BBO #287840  
222 Main Street, Room 205  
Falmouth, MA 02540  
(508) 548-7006

CERTIFICATE OF SERVICE

I hereby certify that on September 7, 2006, a copy of the foregoing was served by electronic mail and through the ECF system on Plaintiff's counsel.

/s/ Richard W. Paterniti  
Jackson Lewis LLP